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OCT 01 2007

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BOBBY CRESPIN,

Defendant - Appellant.

No. 07-10096

D.C. No. CR-05-00321-OWW

MEMORANDUM^{*}

Appeal from the United States District Court
for the Eastern District of California
Oliver W. Wanger, District Judge, Presiding

Submitted September 24, 2007^{**}

Before: CANBY, TASHIMA, and RAWLINSON, Circuit Judges.

Bobby Crespin appeals from the district court's order denying his motion to suppress evidence. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Crespin contends that the district court erred by finding that law enforcement did not exceed the scope of a search warrant authorizing the search of a “single family dwelling.” We are not persuaded, and we conclude that the district court properly denied the suppression motion. *See United States v. Ayers*, 924 F.2d 1468, 1480 (9th Cir. 1991); *cf. Mena v. City of Simi Valley*, 226 F.3d 1031, 1038 (9th Cir. 2000).

AFFIRMED.